Why Ethics Rules ?

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Why Ethics Rules?

- Ensure that we perform our mission with public interest in mind
- Uphold public's confidence in integrity of Government

Executive Order 12674 (as amended):

- The purpose of EO 12674:

  "To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each Federal employee shall respect and adhere to the fundamental principles of ethical service . . ."

Employees' Responsibilities under Executive Order 12674 (as amended)

DO

- Place loyalty to the Constitution, the laws, and ethical principles above private gain.
- Act impartially to all groups, persons, and organizations.
- Give an honest effort in the performance of your duties.
- Protect and conserve Federal property.
- Disclose fraud, waste, and abuse, and corruption to appropriate authorities.
- Fulfill in good faith your obligations as citizens, and pay your Federal, State, and local taxes.
- Comply with all laws providing equal opportunity to all persons, regardless of their race, color, religion.

Employees' Responsibilities under Executive Order 12674 (as amended)

DO NOT

- Use nonpublic information to benefit yourself or anyone else.
- Solicit or accept gifts from persons or parties that do business with or seek official action from DOD (unless permitted by an exception).
- Make unauthorized commitments or promises that bind the government.
- Use Federal property for unauthorized purposes.
- Take jobs or hold financial interests that conflict with your government responsibilities.
- Take actions that give the appearance that they are illegal or unethical.

General Rule - Gifts

You may not accept a gift from a source outside the Government if the gift:

- is offered by a “prohibited source” (anybody that seeks official action from DoD, has or seeks business with DoD, has activities that are regulated by DoD, or has interests that may be affected by the performance of your official duties); or
- is offered to you because of your official position.

The following are not gifts:

- Modest items of food and refreshment
- Items with little intrinsic value (i.e. greeting cards, plaques and certificates)
- Opportunities and benefits available to the public or a class of employees
- Rewards and prizes to competitors
- Pensions and other benefits from a former employer
- Gifts accepted under specific statute

Exceptions to the rules on gifts

- Gifts of up to $20, up to $50 per year from the same source
- Discounts and similar benefits offered to all Government employees or all military personnel by professional organizations if the only restriction on membership is professional qualification.
- Speaking engagements and widely attended gatherings
- Gifts authorized by supplemental agency regulation or under specific statutory authority

Limitations on Exceptions

There are 5 limitations on the use of gifts acceptance exceptions:

1) Accept a gift in return for being influenced in the performance of an official act.
2) Solicit or coerce the offering of a gift.
3) Accept from the same or different sources on a basis so frequent that a reasonable person would be led to believe you are using your office for private gain.
4) Accept a gift in violation of any statute (such as accepting a supplementation of your federal salary from a nonfederal source for performing your official duties).
5) Accept vendor promotional training contrary to applicable regulations.

You are never wrong to decline a gift.

Non-Federal Entities

- Charities
- Nonprofit Groups
- Professional Societies or Associations
- Educational Institutions
- Civic Organizations

4 Basic Principles

- No preferential treatment
- Don’t misuse public office for private gain
- Government resources only for authorized purposes
- Avoid conflicts between personal interests and your official duties

Management of NFE

General rule: You may not participate in managing a non-Federal entity as part of your official duties.

Navy Liaison: Head of your DoD organization may appoint you as liaison to non-Federal entity if significant and continuing DoD interest. You represent DoD, but your opinions do not bind DoD. You may not participate in managing the non-Federal entity.

Employees' Responsibilities under Federal Conflict of Interest Statutes:

- Conflicting Financial Interests
- Bribery and Graft
- Outside Representation or Compensation in Matters Involving Government
- Post-Government Employment Restrictions

Conflicting Financial Interests

- You May NOT Officially Participate
  - in a particular matter that -
  - could affect your financial interests, -
  - or those of your spouse, minor children, general partner, -
  - or organization with which you are negotiating or have an arrangement for future or current employment.
- If you have a conflict, contact your Ethics Counselor to determine the remedy

Bribery and Graft

You may not seek or accept anything of value, other than your government pay, for being influenced in your official duties.

Post-Government Employment Restrictions

- Seeking and engaging in nonfederal employment while you are still in the government

- You may not do government work that affects someone with whom you are seeking employment.

- If you engage in nonfederal employment while you are on terminal leave, you may not represent anybody outside the government to the government, with or without compensation.

Post-Government Employment Restrictions (cont)

Procurement Integrity

- No Compensation for One Year
- If You Held a Certain Position
- In a $10 Million Matter
- Ethics Advisory Letter

Post-Government Employment Restrictions (cont)

All Officers and Employees

- Lifetime Ban – Personal and Substantial Participation
- Two-Year Ban - Official Responsibility
- One-Year Ban - Trade or Treaty Negotiations
- Nonpublic Government Information